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IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF ALASKA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

KEPUELI TALAIASI,

Defendant.

No. 3:21-cr-00044-SLG-DMS

**MEMORANDUM IN SUPPORT OF DETENTION**

The United States of America submits this memorandum in support of pretrial detention for Kepueli Talaiasi. For the reasons set forth below, it is appropriate to detain Talaiasi pursuant to 18 U.S.C. § 3142(e) pending his trial for abusive sexual contact with a 16-year-old while seated next to her on an aircraft in flight.

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## **I. FACTS**

On an overnight flight from Phoenix, Arizona to Anchorage Alaska, Kepueli Talaiasi sexually abused the 16-year-old girl seated next to him. Talaiasi, a resident of Mesa, Arizona, was seated in row 30, along with his adult son. Talaiasi sat in the aisle seat and his son sat in the window seat, where the son slept for most of the flight. The minor victim (who was a stranger to Talaiasi) was travelling with family members, but was in seated in row 30, between Talaiasi and his son. Since Talaiasi was in the aisle seat, his body essentially trapped her in place.

A few hours into the flight, Talaiasi used his elbow to touch the victim's breast. She tried to move away in the limited confines of the seat. He used his elbow to rub her breast again. She again tried to lean away. Then Talaiasi used his hand to rub her inner thigh, and used his hand to fondle her breast over her clothes.

The victim used the Notes application on her phone to type a note that said, "give my phone to my dad – ask dad if we can switch spots Cs the old man keep sexually touching me please." She passed her phone to a friend sitting in the row in front of her. The friend passed the phone to the victim's father, who immediately alerted the flight attendants. The flight crew swiftly separated the victim from her abuser.

Talaiasi was detained when the plane arrived in Anchorage. In a Mirandized interview with the FBI, he acknowledged having bad thoughts upon seeing the minor next to him, and described the devil tempting him. He told the interviewing agent that he had given into the temptation, specifically acknowledging touching the victim's breast

twice with his elbow and once with his hand. Talaiasi admitted that when he saw the victim crying, he started to feel guilty because he has an adult daughter of his own.

## **II. ARGUMENT**

No conditions or combination of conditions can reasonably assure the safety of the community or guard against the risk on nonappearance, and accordingly, the defendant should be detained pretrial. The defendant admitted that he could not fight the temptation to sexually abuse a minor on an airplane. He is not a resident of Alaska, which means he would have to board an airplane back to Arizona to return to his home, endangering his neighboring seatmates. Indeed, there is reason to question whether commercial air carriers would even permit Talaiasi to board an aircraft, considering the nature of pending charge. Furthermore, in order to attend future hearings, the defendant would need to continue to fly to and from Alaska, continually risking the personal autonomy and bodily integrity of the potential victim seatmates. Additionally, the strength of the evidence against Talaiasi means that it is highly likely he will be convicted at trial, which gives him a significant motive not to appear if he is released.

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### III. CONCLUSION

No conditions or combination of conditions can reasonably assure the safety of the community or guard against the risk on nonappearance, therefore, the defendant should be detained pretrial.

RESPECTFULLY SUBMITTED April 29, 2021 at Anchorage, Alaska.

E. BRYAN WILSON  
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s/ Karen Vandergaw  
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